



City of Downey

FUTURE UNLIMITED

CITY COUNCIL

MAYOR

ROGER C. BROSSMER

MAYOR PRO TEM

DAVID R. GAFIN

COUNCIL MEMBERS

Dn. MARIO A. GUERRA
LUIS H. MARQUEZ
FERNANDO VASQUEZ

CITY MANAGER

GILBERT A. LIVAS

CITY CLERK

ADRIA M. JIMENEZ, CMC

June 14, 2012

Sachi A. Hamai, Executive Officer
Kenneth Hahn Hall of Administration
500 West Temple Street, Room 383
Los Angeles, CA 90012

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

51 July 3, 2012

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

SUBJECT: NOVEMBER 6, 2012 GENERAL MUNICIPAL ELECTION

Dear Ms. Hamai:

At its meeting of June 12, 2012, the City of Downey City Council adopted Resolutions pertaining to the calling of a General Municipal Election for November 6, 2012, relating to the election of three (3) City Council Members. Enclosed are two certified copies of each Resolution:

Resolution No.

12-7334

Calling for the Holding of a General Municipal Election to be Held on Tuesday, November 6, 2012

12-7335

Requesting the Board of Supervisors of the County of Los Angeles to Consolidate a General Municipal Election to be Held on November 6, 2012, with the Statewide General Election

12-7336

Adopting Regulations for Candidates for Elective Office Pertaining to Candidates Statements

Please schedule this Consolidation request on the **next available Board of Supervisor's Agenda**. Please provide me with a copy of the Board Agenda when this matter is scheduled.

Should any further action be required by us, or should you require additional information, please do not hesitate to contact me at (562) 904-7280.

Sincerely,

Adria M. Jimenez, CMC

Adria M. Jimenez, CMC
City Clerk

Enclosures

RESOLUTION NO. 12-7334

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DOWNEY
CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO
BE HELD ON TUESDAY, NOVEMBER 6, 2012, FOR THE ELECTION OF
CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE
CHARTER OF THE CITY OF DOWNEY**

WHEREAS, under the provisions of the City of Downey Charter Section 1300, a General Municipal Election shall be held on the sixth day of November, 2012, for the election of three members of the City Council for full terms of four years. One member shall be elected from and by the voters of District One; one member shall be elected from and by the voters of District Three; and, one member shall be elected from and by the voters of District Five.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DOWNEY DOES HEREBY
RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

SECTION 1. That pursuant to the requirements of the Charter of the City of Downey, there is called and ordered to be held in the City of Downey, California on Tuesday, the 6th day of November, 2012, a General Municipal Election for the purpose of electing three members of the City Council for full terms of four years. One member shall be elected from and by the voters of District One; one member shall be elected from and by the voters of District Three; and, one member shall be elected from and by the voters of District Five.

SECTION 2. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 3. That the City Clerk is authorized, instructed and directed to coordinate with the County of Los Angeles Registrar-Recorder/County Clerk to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 4. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Election Code Section 10242, except as provided in Section 14401 of the Elections Code of the State of California.

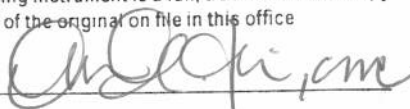
SECTION 5. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 6. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 7. That in the event of a tie vote if any two or more persons receive an equal and the highest number of votes for an office as certified by the County of Los Angeles Registrar-Recorder/County Clerk, the City Council, in accordance with Election Code Section 15651(b), shall conduct a Special Runoff Election to resolve the tie vote and such Special Runoff Election is to be held on a Tuesday not less than 40 days nor more than 125 days after the administrative or judicial certification of the election which resulted in a tie vote.

The foregoing instrument is a full, true and correct copy
of the original on file in this office

ATTEST:



City Clerk of the City of Downey

RESOLUTION NO. 12-7334
PAGE 2

SECTION 8. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

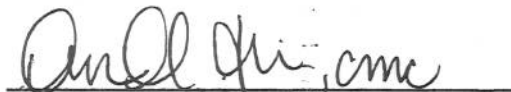
SECTION 9. The City Council authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

APPROVED AND ADOPTED this 12th day of June, 2012.



ROGER C. BROSSMER, Mayor

ATTEST:



ADRIA M. JIMENEZ, CMC
City Clerk

I HEREBY CERTIFY that the foregoing Resolution was adopted by the City Council of the City of Downey at a regular meeting thereof held on the 12th day of June, 2012, by the following vote, to wit:

AYES:	Council Members:	Guerra, Marquez, Vasquez, Gafin, Mayor Brossmer
NOES:	Council Members:	None
ABSTAIN:	Council Members:	None
ABSENT:	Council Members:	None



ADRIA M. JIMENEZ, CMC
City Clerk

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SECTION 5. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

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City Clerk of the City of Downey

RESOLUTION NO. 12-7334
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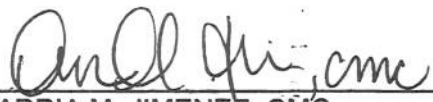
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ROGER C. BROSSMER, Mayor

ATTEST:



ADRIA M. JIMENEZ, CMC
City Clerk

I HEREBY CERTIFY that the foregoing Resolution was adopted by the City Council of the City of Downey at a regular meeting thereof held on the 12th day of June, 2012, by the following vote, to wit:

AYES:	Council Members:	Guerra, Marquez, Vasquez, Gafin, Mayor Brossmer
NOES:	Council Members:	None
ABSTAIN:	Council Members:	None
ABSENT:	Council Members:	None



ADRIA M. JIMENEZ, CMC
City Clerk

RESOLUTION NO. 12-7335

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DOWNEY, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 6, 2012, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO SECTION 10403 OF THE CALIFORNIA ELECTIONS CODE

WHEREAS, the City Council of the City of Downey called a General Municipal Election to be held on November 6, 2012, for the purpose of the election of three Members of the City Council, for full terms of four years. One member shall be elected from and by the voters of District One; one member shall be elected from and by the voters of District Three; and, one member shall be elected from and by the voters of District Five.

WHEREAS, it is desirable that the General Municipal Election be consolidated with the Statewide General Election to be held on the same date and that within the City the precincts, polling places and election officers of the two elections be the same, and that the county election department of the County of Los Angeles canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DOWNEY DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of Section 10403 of the California Elections Code, the Board of Supervisors of the County of Los Angeles is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 6, 2012, for the purpose of the election of three Members of the City Council, for full terms of four years.

SECTION 2. That the Registrar of Voters of the County of Los Angeles is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

SECTION 3. That the Board of Supervisors is requested to issue instructions to the Registrar of Voters of the County of Los Angeles to take any and all steps necessary for the holding of the consolidated election.

SECTION 4. That the City of Downey recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.


SECTION 5. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and Registrar of Voters of the County of Los Angeles.

SECTION 6. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

APPROVED AND ADOPTED this 12th day of June, 2012.

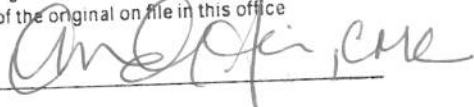

ROGER C. BROSSMER, Mayor

ATTEST:


ADRIA M. JIMENEZ, CMC
City Clerk

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of the original on file in this office

ATTEST:


City Clerk of the City of Downey

RESOLUTION NO. 12-7335
PAGE 2

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NOES:	Council Members:	None
ABSTAIN:	Council Members:	None
ABSENT:	Council Members:	None


ADRIA M. JIMENEZ, CMC
City Clerk

RESOLUTION NO. 12-7335

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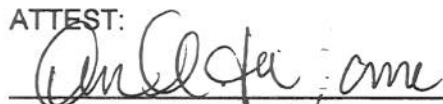
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SECTION 6. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

APPROVED AND ADOPTED this 12th day of June, 2012.


ROGER C. BLOSSMER, Mayor

ATTEST:


ADRIA M. JIMENEZ, CMC
City Clerk

The foregoing instrument is a full, true and correct copy
of the original on file in this office

ATTEST:


City Clerk of the City of Downey

RESOLUTION NO. 12-7335
PAGE 2

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NOES:	Council Members:	None
ABSTAIN:	Council Members:	None
ABSENT:	Council Members:	None



ADRIA M. JIMENEZ, CMC
City Clerk

RESOLUTION NO. 12-7336

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DOWNEY ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2012

WHEREAS, Section 13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidates statement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DOWNEY DOES HEREBY RESOLVE AND ORDER AS FOLLOWS:

SECTION 1. GENERAL PROVISIONS. That pursuant to Section 13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at an Election to be held in the City of Downey on November 6, 2012, may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age and occupation of the candidate and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed, in typewritten form, in the Office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

SECTION 2. CITY OF DOWNEY CHARTER PROVISION. Pursuant to Section 1307 of the Downey City Charter, any candidate for an elective City office may prepare a statement of qualifications in accordance with the restrictions set forth by State law and subject to the following additional restriction: A statement of qualifications shall be limited to a recitation of the candidates own personal background and qualifications and shall not in any way make reference to other candidates or to other candidates qualifications, character or activities. The City Clerk shall not cause to be printed or circulated any candidates statement of qualifications which the City Clerk determines is not so limited or which includes any such references.

SECTION 3. FOREIGN LANGUAGE POLICY.

- A. Pursuant to the Federal Voting Rights Act, candidates' statements will be translated into all languages required by the County of Los Angeles. The County is required to translate candidate's statements into the following languages: Spanish, Chinese, Japanese, Korean, Tagalog, and Vietnamese.
- B. The County will print and mail sample ballots and candidates statements to all voters in Spanish, Chinese, Japanese, Korean, Tagalog, Vietnamese, Khmer, Thai, and Hindi, to only those voters who are on the county voter file as having requested a sample ballot in a particular language. The County will make the sample ballots and candidates' statements in the required languages available at all polling places, on the County's website, and in the Election Official's Office.

The foregoing instrument is a full, true and correct copy
of the original on file in this office

Attest:



City Clerk of the City of Downey

SECTION 4. PAYMENT.

A. Translations:

1. The candidate shall not be required to pay for the cost of translating the candidates statement into any required foreign language as specified in Section 3 above pursuant to Federal and\or State law.
2. The candidate shall be required to pay for the cost of translating the candidates statement into any foreign language that is not required as specified in Section 3 above, pursuant to Federal and\or State law, but is requested as an option by the candidate.

B. Printing:

1. The candidate shall be required to pay for the cost of printing the candidate's statement in the English language in the main voter pamphlet.
2. The candidate shall be required to pay for the cost of printing the candidate's statement in the Spanish language in the main voter pamphlet, if requested.

The City Clerk shall estimate the total cost of printing, handling, translating, and mailing the candidate's statements filed pursuant to this section, including costs incurred as a result of complying with the Voting Rights Act of 1965 (as amended), and require each candidate filing a statement to pay in advance to the local agency his or her estimated pro rata share as a condition of having his or her statement included in the voter's pamphlet. In the event the estimated payment is required, the estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the clerk is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual cost. In the event of underpayment, the clerk may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the clerk shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days of the election.

SECTION 5. MISCELLANEOUS.

- A) All translations shall be provided by professionally-certified translators.
- B) The City Clerk shall allow bold type, underlining, capitalization, indentations, bullets, leading hyphens, to the same extent and manner as allowed by the County of Los Angeles.
- C) The City Clerk shall comply with all recommendations and standards set forth by the California Secretary of State regarding occupational designations and other matters relating to elections.

SECTION 6. ADDITIONAL MATERIALS. No candidate will be permitted to include additional materials in the sample ballot package.

SECTION 7. NOTICE OF REGULATIONS. That the City Clerk shall provide each candidate or the candidate's representative a copy of this Resolution at the time nominating petitions are issued.

SECTION 8. REPEAL OF PRIOR RESOLUTIONS. That all previous resolutions establishing City Council policy on payment for candidate's statements are hereby repealed.

SECTION 9. APPLICABILITY. That this resolution shall apply only to the General Municipal Election to be held on November 6, 2012, and shall then be repealed.

SECTION 10. CERTIFICATION. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

APPROVED AND ADOPTED this 12th day of June, 2012.



ROGER C. BROSSMER, Mayor

ATTEST:



ADRIA M. JIMENEZ, CMC
City Clerk

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AYES:	Council Members:	Guerra, Marquez, Vasquez, Gafin, Mayor Brossmer
NOES:	Council Members:	None
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ADRIA M. JIMENEZ, CMC
City Clerk

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APPROVED AND ADOPTED this 12th day of June, 2012.



ROGER C. BROSSMER, Mayor

ATTEST:



ADRIA M. JIMENEZ, CMC
City Clerk

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ABSENT:	Council Members:	None



ADRIA M. JIMENEZ, CMC
City Clerk